



#3

DECLARATION
Utility Application

DOCKET INFORMATION
13007-1

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RECHARGEABLE MEDIA DISTRIBUTION AND PLAY SYSTEM, the specification of which was filed on July 19, 2001 as Application Serial No. 09/910,438.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Claimed	
			Yes✓	No✓
None				

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations,

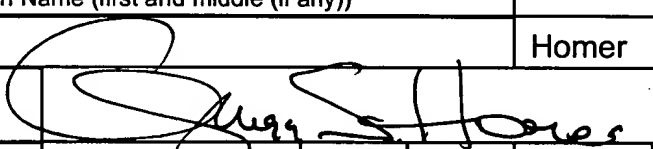
§ 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status – Patented, Pending or Abandoned
09/484,632	January 18, 2000	Pending

I hereby appoint as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Jeffrey G. Sheldon, Reg. No. 27,953; Stephen R. Seccombe, Reg. No. 31,136; Danton K. Mak, Reg. No. 31,695; and Denton L. Anderson, Reg. 30,153.

Direct all correspondence to:

Stephen R. Seccombe
Sheldon & Mak PC
290 North "D" Street, Suite 503
San Bernardino, CA 92401
Tel.: (909) 889-3649 Fax: (909) 889-3649

Name of Sole or First Inventor							
Given Name (first and middle (if any))					Family Name or Surname		
Gregg S.					Homer		
Inventor's Signature						Date	10.23.01
Residence: City	Los Angeles	State	CA	Country	US	Citizenship	US
Post Office Address	2029 Century Park East, Suite 2750						
Post Office Address							
City	Los Angeles	State	CA	Zip	90067	Country	CA

☐ Additional inventors are being named on the ___ supplemental Additional Inventor(s) sheet(s) attached hereto.



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))---INDEPENDENT INVENTOR

Docket No. 13007-1

Applicant or Patentee: Gregg S. Homer

Application Serial No.: 09/910,438

Filed or Issued: July 19, 2001

Title: RECHARGEABLE MEDIA DISTRIBUTION AND PLAY SYSTEM

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ application identified above.
- ☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

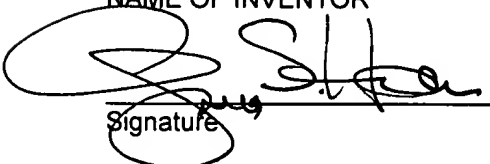
Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
- ☐ Each such person, concern or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at time of paying, the earliest of the issue fee or any maintenance fee due after that date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Gregg S. Homer
NAME OF INVENTOR


Signature

Date 10.23.01